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Attorneys for Plaintiffs and the Classes
(Additional Counsel on Signature Page)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DAVID AND NATASHA WIT, *et al.*,

Plaintiffs,

v.

UNITED BEHAVIORAL HEALTH
(operating as OPTUMHEALTH
BEHAVIORAL SOLUTIONS),

Defendant.

GARY ALEXANDER, *et al.*,

Plaintiffs,

v.

UNITED BEHAVIORAL HEALTH
(operating as OPTUMHEALTH
BEHAVIORAL SOLUTIONS),

Defendant.

Case No. 3:14-CV-02346-JCS
Action Filed: May 21, 2014

**JOINT SUBMISSION REGARDING
SUPPLEMENTAL REMEDIES BRIEFING**

Case No. 3:14-CV-05337-JCS
Action Filed: December 4, 2014

JOINT SUBMISSION REGARDING SUPPLEMENTAL REMEDIES BRIEFING

On March 24, 2020, the Court requested additional briefing and information on six topics (Wit ECF No. 448):

- Topic 1 – Implications of certification of classes under Rule 23(b)(1)(A), (b)(2) and (b)(3)
- Topic 2 – Res judicata effect of a judgment in this action on class members
- Topic 3 – Class list
- Topic 4 – What exclusions may be invoked by UBH in reprocessing
- Topic 5 – Pre- and post- judgment interest
- Topic 6 – Status of UBH Guideline changes and adoption of ASAM, LOCUS and CALOCUS (or other third-party guidelines)

The parties have conferred and jointly propose the following briefing schedule:

May 15, 2020:

- Plaintiffs file opening submission on Topics 1 and 5.
- UBH files opening submission on Topics 2, 4 and 6.
- Parties file joint submission on Topic 3 (in the event of any areas of disagreement, the parties will set forth their respective positions).

June 15, 2020:

- Plaintiffs file responsive submission on Topics 2, 4 and 6.
- UBH files responsive submission on Topics 1 and 5.

July 2, 2020:

- Plaintiffs file reply submission on Topics 1 and 5.
- UBH files reply submission on Topics 2, 4 and 6.

As for a hearing to address remedies and class certification issues, the parties propose the following dates: July 20-21 or 23-24.

1 Dated: April 7, 2020

ZUCKERMAN SPAEDER LLP

2 /s/ Adam B. Abelson

3 Caroline E. Reynolds (admitted *pro hac vice*)

4 Adam B. Abelson (admitted *pro hac vice*)

5 D. Brian Hufford (admitted *pro hac vice*)

6 Jason S. Cowart (admitted *pro hac vice*)

7 PSYCH-APPEAL, INC.

8 Meiram Bendat (Cal. Bar No. 198884)

9 *Counsel for Plaintiffs and the Classes*

10 Dated: April 7, 2020

CROWELL & MORING LLP

11 /s/ Andrew Holmer

12 Jennifer S. Romano

13 April N. Ross

14 Andrew Holmer

15 *Counsel for Defendant*

16 *United Behavioral Health*

17 **FILER'S ATTESTATION**

18 Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the
19 filing of this document has been obtained from the other signatories.

20 Dated: April 7, 2020

21 /s/ Adam B. Abelson

22 Adam B. Abelson